

TOWN OF ROYALSTON
BOARD OF SELECTMEN'S MEETING
TUESDAY, APRIL 5, 2005
7:00 P.M.

Present: Thomas Kellner, Werner Bundschuh, and Andy West.

1. The meeting was called to order by Chairman Kellner.
 - a) Officer Changes/Reorganization: Mr. Kellner thanked Mr. Winitzer for all the work he has done for the town during his term. He also welcomed Andy West as a new member of the Board. Mr. West made a motion to nominate Mr. Bundschuh as Chairman. Mr. Kellner seconded the motion, with the Board voting unanimously in favor. Mr. West also made a motion to formalize the town's gratefulness to Mr. Winitzer for his service to the town in a letter. Mr. Bundschuh seconded the motion. The Board voted in favor. Mr. Bundschuh made a motion to nominate Mr. Kellner as Clerk. Mr. West seconded the motion. The vote was unanimous in favor.
2. The minutes of the 3/15/05 meeting were read. Two corrections were made and noted. Mr. Kellner made a motion to accept the minutes as amended. Mr. West seconded the motion, with the Board voting unanimously in favor.
3. Acknowledgements/Announcements/Correspondence:
 - a) Mr. Kellner reported that he spoke to town counsel regarding the appointment of a temporary town clerk if Mr. LeBlanc should move out of town. He was told that Mr. LeBlanc could continue in his current capacity, but could not act during town meeting. The Board would have to appoint a temporary town clerk or appoint Mr. LeBlanc as temporary town clerk until the next election.
 - b) Mr. Kellner made a motion to accept the resignation of Brandon Basso as a police officer. Mr. West seconded the motion, and the Board voted in favor.
 - c) Discussion was held regarding the Route 32 reconstruction project. Mr. Kellner stated that in correspondence received from Senator Brewer, it was explained that federal regulations have changed regarding reimbursements and that work must be completed during the same budget cycle. Since the Route 32 project is not ready to go, it was bumped from the active list and replaced by a project in Shirley. Vyto Andreliunas reported on a recent meeting he attended with MRPC. There was no prior notice that the project was going to be discussed at the recent MPO meeting, so there was no representation from Royalston. He and Keith Newton have drafted a letter to send to MRPC outlining the reasons why the project should go forward. Mr. Kellner made a motion to send the letter. Mr. West seconded the motion, and the Board voted in favor.
 - d) Mr. Bundschuh expressed the Board's appreciation to Mr. Andreliunas for his service on the School Committee for many years. Mr. West made a motion to send a formal letter of thanks to Mr. Andreliunas. Mr. Kellner seconded the motion. All Board members voted in favor.
 - e) The Board received a request from the Cultural Council for use of the Town Hall on 5/14/05 for the Royalston Follies and also on 5/12 and 5/13 for rehearsals. They also applied for a beer & wine permit on 5/14/05. Mr. West made a motion to approve the requests, to grant the beer & wine permit, and to waive the fee. Mr. Kellner seconded the motion. The Board voted unanimously in favor.
 - f) Mr. Bundschuh made a motion to expend \$100 from the Selectmen's Miscellaneous Account to pay the fee for Mr. Kellner to attend a Comprehensive Planning Seminar on 5/4/05. Mr. West seconded the motion. The Board voted in favor.

- g) Mr. Kellner made a motion to approve a request from Kathy Morris to use the Town Hall for a yoga class on Wednesdays for nine weeks from 6:15 to 9:15 p.m. Mr. West seconded the motion. The Board voted in favor.

4. Department Head Reports:

a) Police Department:

- 1) Chief Deveneau presented the Board with an update on the status of unregistered cars and trailers.
- 2) The Chief presented articles for the Annual Town Meeting, which were reviewed by the Board. A discussion was held regarding an article about appropriating additional funds for summer patrols. Mr. Bundschuh stated that Chief Deveneau should have included this figure in his budget.
- 3) Chief Deveneau reported that he is working on a proposal with Jeff Mangum regarding patrols at Tully Dam.

- b) Tree Warden: Larry Siegel reported that a tree service would be working on Falls Road during the next few weeks. Discussion was held regarding trees on the common and having a plan in place to replant.

5. Old Business:

- a) Zoning Bylaws: The Board received a petition signed by eleven residents regarding putting articles on the Annual Town Meeting warrant for proposed changes to Zoning Bylaws. Mr. Bundschuh made a motion to accept the article pending certification of signatures on the petition by the Town Clerk. Mr. Kellner seconded the motion. The Board voted in favor of the motion. A copy of the proposed changes will be sent to all departments for review. Mr. Andreliunas said that per statute, the Planning Board must hold a public hearing before the proposals are presented at town meeting.
- b) Smyly Lawsuit: Mr. Bundschuh reported that the next court date is 4/19/05. He will contact Mt. Grace Trust to discuss the issue before the court date.
- c) Enterprise Fund: The Board received a copy of a letter sent to Clayton Holmes from Town Clerk Lloyd LeBlanc regarding the revocation of the enterprise fund, which was voted on at last year's annual town meeting. Mr. LeBlanc's letter states his research indicates that the fund must be in operation for a full three years before it can be revoked. Mr. Kellner said that town counsel had advised that because it had never been implemented, it could be revoked. Mr. West will contact Mr. Holmes to discuss the benefits of an enterprise fund and will also speak with Mr. LeBlanc.
- d) Village School – Mr. Bundschuh reported last week that he met with Risa Richardson and Linda Lane from the Mass. Rural Management Association, a non-profit organization that offered assistance to the school, regarding the water problems there. Mr. West announced at this time that he is on the Board of Directors for the Village School and will recuse himself, but will participate in discussions relating to capital improvements at the Raymond School. Ms. Lane said that she would do more research on the cost for a filter system and also on obtaining a free consultation.

5. New Business:

- a) The town will receive approximately \$177,000 in Chapter 90 Funds for Fiscal year 2006.
- b) Helen Divoll reported that she spoke with the principal at Royalston Community School regarding utilizing the school for the Annual Town Meeting and was told that since the school

will be closed, the town would have to hire a custodian at \$23/hour. After some discussion, Mr. Kellner made a motion to hold the meeting at RCS. Mr. Bundschuh will call the Superintendent and ask that the fee be waived. Mr. West seconded the motion. The Board voted unanimously in favor.

- c) Mr. West made a motion that Mr. Kellner be the contact person for the Mass. Municipal Association and that the Board send the letter suggested by the MMA regarding the issue of electric companies having to pay taxes on capital equipment. Mr. Bundschuh seconded the motion. The vote was unanimous in favor.
- 6. Executive Session – Collective Bargaining: Mr. Bundschuh made a motion to go into Executive Session to discuss strategy with respect to collective bargaining at 8:50 p.m. Mr. Kellner seconded the motion. The vote was unanimous in favor. Mr. Bundschuh announced that the Board would resume the regular meeting to sign the Treasury Warrant only.
- 7. The Treasury Warrant was signed.
- 8. Mr. Kellner made a motion to adjourn at 9:23 p.m. Mr. West seconded the motion, and the Board voted in favor.

Minutes recorded by Diana Newton.

